REMARKS

Applicants appreciate the Examiner's thorough examination of the present application as evidenced by the final Office Action of December 3, 2004 (hereinafter "Final Action"). In the interest of brevity, Applicants remarks herein focus on the Response to Arguments section in the Final Action. For completeness, Applicants incorporate herein their arguments from the Request for Reconsideration filed August 9, 2004. Applicants respectfully request that the Examiner take one final look at independent Claims 1, 10, 23, 26, 35, 48, and 57 in light of the remarks included herein. Favorable reconsideration of all pending claims is respectfully requested for at least the reasons discussed hereafter.

Independent Claims 1, 10, 23, 26, 35, 48, and 57 are Patentable

Independent Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the document entitled "Webhire Links Corporate Recruiting Desktops to Over 2,000 Job Posting Sites," March 2, 2000 (hereinafter "Webhire") in view of U. S. Patent No. 4,910,60 to Li (hereinafter "Li").

Independent Claim 1 is directed to a method of selecting a job post site and has been reproduced below:

> obtaining at least one job post site selection criterion;
> automatically ranking a plurality of job post sites based on the at least one job post site selection criterion, comprising:
> accessing a fact table that contains data relevant to the at least one job post site selection criterion; and
> using an inference engine to process the at least one job post site selection criterion and the fact table to rank the plurality of job post sites based on the at least one job post site selection criterion; and
> selecting the job post site from the plurality of job post sites based on the ranking of the plurality of job post sites.

Claims 10, 23, 26, 35, 48, and 57 include similar recitations. Thus, according to the recitations of the pending independent claims, a plurality of job post sites are automatically ranked based on at least one job post site selection criterion by accessing a fact table that contains data relevant to the at least one job post site selection criterion and by using an inference engine to process the at least one job post site selection criterion and the fact table to rank the plurality of job post sites based on

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the at least one job post site selection criterion.

The Final Action acknowledges that Webhire does not teach or suggest the recitations directed to automatically ranking a plurality of job post sites, accessing a fact table, and using an inference engine. (Final Action, page 6). The Final Action does allege, however, that Li provides the missing teachings. Applicants respectfully submit, however, that neither Webhire nor Li include any motivation or suggestion to modify Webhire as indicated in the Office Action.

Li is directed to a self-optimization method and machine. Applicants submit that nothing in Webhire or Li provides any motivation to modify Webhire to include Li's self-optimization techniques because such techniques would appear to detract from Webhire's job posting system rather than improve or enhance it. For example, Li states that an object of his invention "is to provide real-time self-optimizing machine and method capable of handling tens, hundreds, thousands, or more variables with no or minimum human guidance..." (Li, col. 3, lines 19 - 22; emphasis added). Furthermore, Li explains that "[t]o fully utilize my self-optimizing machine, however, these 'rules' are preferably instantly and automatically implemented through actuators without introducing any delays or errors due to the presence of humans in the loops." (Li, col. 7, lines 62 - 66; emphasis added). Thus, Li's self-optimization method and machine is designed to work without human intervention.

Applicants respectfully submit, however, that if Webhire's job posting system were to be modified to incorporate an expert system, then such an expert system would be built and modified based on human feedback and data. That is, information on whether a particular job post site has been successful for a recruiter would likely be provided by interviewing a person responsible for recruiting and finding out which job post sites provided the best candidates for a particular job or jobs.

The Final Action states that Webhire does not address where the information for the specific job site solution comes from. (Final Action, page 5). Applicants respectfully submit that the collection of job site information used in Webhire would have to be the result of some sort of human involvement, e.g., in the form of categorizing the job posting sites, establishing rules/guidelines for which sites go into which categories, etc. This is in sharp contrast to Li in which the data is compiled

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through devices such as actuators without any human interpretation or input.
Moreover, Applicants note that Li's system was designed to address problems in
conventional automation systems in which the knowledge base has been generated
based on human knowledge and input. For example, Li states at col. 4, lines 35 - 48:

> FIG. 1 shows the flowchart for the present automation systems. Note
> that these systems totally depend on the imperfect and error-prone human
> knowledge bases from averaged previous sampled results. Also, there are no
> mechanisms to eliminate, suppress, or even detect errors from any sources.
> Hence, errors in, errors out.
> Thus, a fundamental flaw in present automation systems is the
> assumption that there exist human experts who know exactly and accurately
> everything: the exact number and type of important variables and their
> interactions, system dynamics models, detailed solutions of the intricately
> coupled control equations, exact control constants, and optimal setpoints. In
> reality, this is far from the truth.

Thus, Applicants submit that there would be no motivation to modify
Webhire's job posting system with Li's self-optimization method and machine, which
is designed for real-time systems that do not incorporate human feedback and/or are
based on knowledge bases generated through human input.

Accordingly, for at least the foregoing reasons, Applicants respectfully submit that
independent Claims 1, 10, 23, 26, 35, 48, and 57 are patentable over Webhire and that Claims
3 - 9, 11 - 14, 16 - 22, 25, 28 - 34, 36 - 39, 41 - 47, 50 - 56, 58 - 61, 63 - 69 are patentable at
least per the patentability of independent Claims 1, 10, 23, 26, 35, 48, and 57.

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CONCLUSION

In light of the above amendments and remarks, Applicants respectfully submit that the above-entitled application is now in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,

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